

**BENSALEM TOWNSHIP COUNCIL  
MEETING MINUTES**

**Monday  
April 8, 2019**

**MEMBERS PRESENT:**

Joseph Knowles, President  
Ed Kisselback, Vice President  
Joseph Pilieri, Secretary  
Jesse Sloane, Member  
Ed Tokmajian, Member

**ALSO PRESENT:**

Mayor Joseph DiGirolamo  
Joseph Pizzo, Township Solicitor  
Debora McBreen, Council Clerk/Recording Secretary  
Lauren Gallagher, Township Solicitor  
Harold Gans, Township Engineer

**1. PLEDGE OF ALLEGIANCE:**

**Council President Knowles** opened the meeting with a moment of silence which was followed by the Pledge of Allegiance.

**2. PUBLIC COMMENT:**

**Council President Knowles** invited Public Comment on Agenda items, but no one came forward and the first of two public portions was closed.

**PLEASE NOTE:**

**The minutes are not verbatim but rather a synopsis of what transpired during the meeting, and while I do my best to attribute remarks and questions to the correct individual, there may be mistakes or omissions because of the “back and forth” dialogue and the lack of the use of the microphones.**

**3. APPROVAL OF COUNCIL MINUTES:**

**Council Secretary Pilieri** motioned to approve the Minutes of *March 25<sup>th</sup>, 2019*, **Council Member Tokmajian** seconded and the motion carried 5-0.

4. **“NIGHT OF CHAMPIONS” PRESENTATION:**

Certificates from the Mayor and Council were distributed to each member of the teams listed below congratulating them on their accomplishment.

**2019 Lower Bucks Middle School Basketball Champions**  
**Cecilia Snyder Middle School – 8<sup>th</sup> Grade Boys Basketball**

<b>Coach David Nieves</b>	<b>Coach Jamal Culbreth</b>	<b>Coach Elena Toselli</b>	
<b>Jack Wineburg</b>	<b>Eric Gonzalez</b>	<b>Gavin Schroeder</b>	<b>Danny Breninghouse</b>
<b>Kadyn Geddes</b>	<b>Robert Walton</b>	<b>Collin Meo</b>	<b>Joey Gale</b>
<b>Jose Colon</b>	<b>Nate Rosas</b>	<b>Aiden Bergiven</b>	<b>Danny Quiroz</b>
<b>Anthony Heisse</b>	<b>Nick Szafran</b>		

**2019 CYO Region 19 Basketball Champions**  
**St. Ephrem Catholic Grade School – 7<sup>th</sup> and 8<sup>th</sup> Grade Boys Basketball**

<b>Coach Bob Heisse</b>	<b>Assistant Coach Steve Johnson</b>		
<b>Aiden Bergiven</b>	<b>Kadyn Geddes</b>	<b>Dylan McManus</b>	<b>Danny Breninghouse</b>
<b>Conner Hasson</b>	<b>Nick Szafran</b>	<b>Brett Jackson</b>	<b>Jack Wineburg</b>
<b>Eric Gonzalez</b>	<b>Ryan Everett</b>	<b>Maurce Jean-Brian</b>	

**Council President Knowles** asked **Solicitor Pizzo** if there were any amendments or changes to the agenda. **Solicitor Pizzo** indicated there was one item added to the agenda, 5 (B) Re-approval and signing of a Record Plan at which time **Engineer Gans** indicated the amendment, 5 (B), of the signing of the record plan as well as the lot consolidation plan for Republic Bank. **Council Member Tokmajian** made a motion to add agenda item 5 (B), **Council Member Sloane** seconded and the motion carried 5-0.

**Council President Knowles** asked **Solicitor Pizzo** if agenda item number 9 had any additions. **Solicitor Pizzo** said the applicant had forwarded to the township, by way of the solicitor’s office, the additional sections to be inserted into the SRMU ordinance. These would be additions to what was already in front of council that the applicant is asking the township to consider including them into the ordinance.

5. **RE-APPROVAL AND SIGNING OF RECORD PLAN:**

<b>A. Applicant:</b>	<b>Bensalem Village Condominiums</b>
<b>Location:</b>	1068 Byberry Road
<b>Tax Parcel:</b>	2-94-560

**Township Engineer Gans** indicated this is a plan that was approved by council on August 27<sup>th</sup> 2018 with the following exceptions or changes: three waivers granted by Council pertaining to drawing scale, simultaneous preliminary and final submissions, required improvements deferred to future owner, two revisions dated August 31<sup>st</sup>, 2018 and April 2<sup>nd</sup>,

2019. Added is the General Note no. 7 revised benchmark elevation location, General Note No. 19 added pertaining to Council waiver which is the required improvements deferred to future owner and the words land development have been replaced by the word subdivision in the Township Engineer’s signature block.

The **Township Engineer** has signed the plans and recommended that Council do the same because the 90-day recording period has elapsed. It was recommended that Council re-approve the plan prior to the signature so that the plan may be recorded at the Bucks County Recorder of Deeds. **Solicitor Pizzo** indicated that before a motion was called a recording of the plan should occur contemporaneous with a recording of the deed transferring open space to the township. **Council Vice President Kisselback** motioned to approve, **Council Secretary Pilieri** seconded and the motion carried 5-0.

**RE-APPROVAL AND SIGNING OF RECORD PLAN AND LOT CONSOLIDATION PLAN:**

**B. Applicant: Republic Bank**  
**Location: 2941 Mechanicsville Road**  
**Tax Parcel: 2-37-29**

**Township Engineer Gans** indicated this is a plan that was approved by council on October 9<sup>th</sup> 2018, with the following exceptions or changes: relocated driveway on Mechanicsville Rd. per PennDOT requirements, adjusted driveway on Street Rd. per PennDOT requirements. A “pork chop” island has been added, building size decreased from 3,575 sq. ft. to 3,316 sq. ft., removed sidewalk that previously went from Mechanicsville Rd. onto the site, added lot consolidation key plan, added site distance notes, listed variances and waivers that were granted, updated sign tables, driveway crosswalks were revised to international striping pattern, revised GC/R2 boundary line and added a sanitary sewer easement. The **Township Engineer** has signed the plans and recommended that Council do the same because the 90-day recording period has elapsed. It was recommended that Council re-approve the plan prior to the signature so that the plan may be recorded at the Bucks County Recorder of Deeds. **Council Vice President Kisselback** motioned to approve as presented, **Council Member Tokmajian** seconded, the vote carried 4-1, with **Council Secretary Pilieri** voting nay.

**Council Vice President Kisselback** motioned to approve the Lot Consolidation Plan, **Council Member Tokmajian** seconded and the motion carried 4-1, with **Council Secretary Pilieri** voting nay.

**6. CONSIDERATION OF A REDUCED FEE REGARDING THE FIRE INSPECTION FEE FOR THE SCHOOL DISTRICT, PERMIT FEES FOR VALLEY ELEMENTARY AND THE EXISTING BUS TRANSPORTATION CENTER:**

**A. Bensalem School District Fire Inspection Fees**

**Council Member Sloane** motioned to approve the 50% Fire Inspection fee for the various Bensalem Township schools and buildings, **Council Member Tokmajian** seconded and the motion carried 5-0.

- B. Valley Elementary School Permit Fees**
- C. Bus Transportation Center Preliminary Land Development Fees**
- D. Bus Transportation Center Final Land Development Fees**

**Council Vice President Kisselback** motioned to accept the reduction of permit fees minus the escrow, **Council Secretary Pilieri** seconded and the motion carried 5-0.

**7. CONSIDERATION AND PUBLIC HEARING OF 8 RESOLUTIONS AUTHORIZING THE UPGRADING OF THE EXISTING TRAFFIC SIGNALS AT THE FOLLOWING LOCATIONS:**

- A. Hulmeville Road and Park Avenue
- B. Hulmeville Road and Mechanicsville Road
- C. Hulmeville Road and Byberry Road
- D. Hulmeville Road and Gibson Road
- E. Hulmeville Road and Galloway Road
- F. Hulmeville Road and Bristol Road
- G. Hulmeville Road and Bensalem High School North Driveway & Joshua Drive
- H. 2025 Bristol Road, Pasqualone Boulevard & Shopping Center Access

Solicitor Pizzo stated that the township is engaging in a program whereby all the townships traffic signals at various intersections throughout the township will be programmed to speak to each other, they will identify the amount of traffic going through the intersection or that is stacking at the intersection and will begin to make adjustments accordingly from intersection to intersection to help improve the flow of traffic along Hulmeville Road. Council President Knowles indicated all of the Resolutions before council are along Hulmeville Road with the exception of item H which is right off of Hulmeville Road at Bristol Road and Pasqualone Boulevard. All eight Resolutions can be handled by a single action from the board in all cases as council is aware anytime the township wants to make modifications to the traffic signals along a state highway it requires the township to submit an application for an amendment to the permit for that intersection from PennDOT. The Resolutions before council are authorizing the Director of Administration to sign and submit the applications to PennDOT in order to move this project forward. This project has been referred to as the Green Light Go Project and the township has received grant funds from the Commonwealth for this project. The grant is an 80%-20% match with 80% being paid by the state and 20% being paid by the township. The 20% of this project is part of the townships 2019 budget. The Resolutions are before council in a form acceptable for their consideration. **Council Member Tokmajian** asked if this upgrade included the turning arrow signals. The **Mayor** indicated that PennDOT had given the township a preliminary approval for Galloway and Richlieu Roads and Hulmeville and Galloway Roads and the township is going through the final process for the final permitting. **Council Member Sloane** asked if there was a timeline known for these upgrades. **Solicitor Pizzo** indicated that as soon as the township had the permits in hand they would be in a position to be able to process the work. **Council Secretary Pilieri** motioned to approve as presented, **Council Member Tokmajian** seconded and the motion carried 5-0.

8. CONSIDERATION OF A LOT LINE CHANGE:

**Applicant:** Roger E. Chatot  
**Site Information:** 4512 & 4530 Summit Lane  
**Proposed Use:** Residential  
**Zoning Classification:** R-A-1 (Residential)  
**Tax Parcel:** 2-18-167 & 2-18-181

**Mr. Roger Chatot** stepped forward to the podium and explained his request to move the property line 15 feet over to be equal with the adjacent lot. **Engineer Gans** indicated the revised plans were received on April 1<sup>st</sup> and regarding his review memo of February 25<sup>th</sup> Section D, Chapter 201- Lot Line Change, all five issues have been addressed. **Engineer Gans** requested to add the following item: note 3 indicated iron pins for the corners, these must be concrete monuments and that note should be changed accordingly. **Council Member Tokmajian** made a motion to approve, **Council Vice President Kisselback** seconded and the motion carried 5-0.

9. CONSIDERATION OF AN ORDINANCE AMENDING THE TOWNSHIPS ZONING ORDINANCE, CHAPTER 232 OF THE TOWNSHIP CODE, TO CREATE A NEW ARTICLE VI, DIVISION 7, SRMU STREET ROAD MIXED-USE OVERLAY DISTRICT:

10. CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, BY AMENDING THE ZONING DISTRICT MAP OF THE TOWNSHIP SECTION 232-31 BY REZONING CERTAIN LANDS IDENTIFIED AT TAX PARCEL NUMBER 2-33-26 FROM R-11 RESIDENTIAL TO SRMU – STREET ROAD MIXED USE OVERLY DISTRICT:

**Solicitor Pizzo** indicated that agenda items 9 and 10, for purposes of the public hearing, should be considered to be a combined hearing to the extent that a significant amount of the testimony that will be conducted in regards to the proposals to create the new zoning district may also be applicable to the applicants request that the township then consider rezoning the property commonly referred to as the Armstrong Middle School property to the new SRMU zoning district should council decide to create that new district. The record should also reflect that this item had been originally advertised to take place at the council meeting of March 25<sup>th</sup>. At the request of the applicant, it was announced that evening that both the creation of the new zoning district by way of the new ordinance as well as the potential rezoning of the property were both being tabled and rescheduled to a date certain of April 8<sup>th</sup>. Both ordinances have been properly advertised and the property has been posted. The township has been supplied copies of the notices to the adjacent property owners that were provided by the applicant to the Planning Commission at its meeting of March 20<sup>th</sup> and they are now in the possession of **Solicitor Gallagher** for this meeting and appear to be in order.

**Mr. Ed Murphy**, representative for the applicant, discussed the revisions that were requested by the county and township staff and indicated that the redlined ordinance highlights the recommended changes to reduce the scope and intensity of the development which was the principal comment and concern expressed by the Bucks County Planning Commission when they reviewed the plan as well as the township Planning Commission. The other changes that

council saw, which were just submitted this evening, were designed to further tweak the actual language in the ordinance to try again, to establish more of a town center feel to the project as opposed to a more traditional strip center or mixed use development. The goal of the changes submitted are to create a large unbroken town center area, reduce the size of any individual parking field and to establish an opportunity, if there were to be a hotel, that it would be required to have a minimum of a 15,000 square foot convention area or meeting space be created that would be part of that hotel. The principal design element of the plan is to create the interconnection from Hulmeville Road across the site so that there is a clear demarcation between the residential area of the site and the more commercial area of the site that would front along Street Road. The way the plan is set-up 75% of the site would be devoted to non-residential uses and 25% would be devoted to residential uses, on the plan contemplates both a mix of condominiums and townhomes. **Adam Pico**, representative for the applicant, described in detail the design elements of the project and an overview of the project was discussed and a lengthy discussion ensued. **Jay Pandya**, principal owner of the project, stepped forward to clarify in detail a few of the amenities proposed for this development.

Public comment was then invited and fifteen (15) speakers came forward and expressed concerns about the proposed development. During this public comment portion there were numerous comments and questions from Council and its professional staff along with answers and remarks making it difficult to follow the narrative, so I am identifying the public speakers and providing a brief synopsis of their commentary.

**Barbara Manolakis**, 3210 Fairway Rd., expressed her concerns regarding traffic and the possible thru traffic in her neighborhood.

**Alan Winsor** 3232 Azalea Ave., commented on how there are too many empty buildings in our township and an overwhelming amount of development.

**Stacey Polakowski Champion**, 623 Ashton Rd., commented that she grew up on Hansell Drive and did not believe this would be a good project for the Armstrong property and expressed concerns regarding traffic.

**Samuel Lee**, 3000 Donallen Drive, Bensalem Township School District Superintendent was in favor and supported the sale of the Armstrong property.

**Jack Desimone**, 1951 Hansell Drive, expressed his concerns regarding the proposed apartments which will bring more people, more children and more school taxes and undeniably more traffic.

**Paul Rottloff**, 1936 Hansell Drive, commented how traffic would get exponentially worse.

**Tracey Kaiser**, 4615 Wagonhouse Lane, indicated that her parents lived on Hansell Drive and that it was a tight-knit neighborhood. This is not what the township needs, there is enough construction going on in the township. The township should keep the open space and produce a community park.

**Tony Belfield**, 2475 Greenland Court, former councilman, cautioned council that this is a typical case of over-development.

**Yagnesh Choksi**, 2488 Headhouse Square South, supported the sale and development of the Armstrong property.

**JoAnn Kelly**, 1919 Hansell Drive, objected to the type of zoning and how council was giving up their rights as to what to say on this small piece of property if council approved this proposal. Council's job is to protect the residents from over development.

**MaryAnn Griffin**, 3101 Addison Ct., Trevoise, expressed how there were 17 empty stores, 7 hotels and 15 restaurants along Street Road and how bad the traffic was and putting something this large on that property is not the right concept for the township.

**Barbara Ziedler**, 1108 Ohio Avenue, commented that the township did not need any of the things that the developer was presenting before council and we need to fill the empty stores instead of developing more open space.

**Rachel Fingles**, 5160 Euston Ct., School Board Director, expressed how the school district was a good steward of the community recreation and open space. Ms. Fingles asked council for 3 votes to at least put something there and what the school district could do to get this proposal approved.

**Diane Hayden**, 2021 Hansell Drive, was against the redevelopment of the Armstrong Property.

**Kimberly Cogins**, stated how she grew up on Hansell Drive and her parents still live there. Her concerns were that of flooding and open space and what was in it for the community but more traffic.

Seeing no one else come forward Public Comment was closed for this agenda item.

**Council Vice President Kisselback** motioned to deny the amending of the township zoning ordinance Chapter 232 of the township code, **Council Secretary Pilieri** seconded and the vote carried 5-0.

## 11. PUBLIC COMMENT:

**Council President Knowles** invited additional Public Comment and the following people came forward:

**George Anderson, 868 Mill Rd.**, the Mayor addressed Mr. Anderson's concerns. Solicitor Pizzo indicated as a result of Mr. Anderson's prior appearances and the ongoing several issues involving this small section of the township. The business owner of Maka Solar Granite located at 900 Mill Road had submitted for permits regarding the sign, but placed the sign in the wrong area and it was creating a hazard. The township asked the business owner to move the sign, he chose not to, the township took the owner to District Court Gallagher. The hearing was on April 5<sup>th</sup> and the judge gave the business owner 30 days to get the sign gone, not relocated, but gone. The business owner will have to re-apply for the permit, which is referred to as an on the premises sign. The sign that is currently out off of Mill Road is called an off the premises sign. There is a different set of rules for an off the premises sign than an on the premises sign. The business owner has expressed to the township his concerns that vehicles going to his business will not know that his business is there because of the street leading to his business on

Robinson Avenue. What the township told the business owner was that the township would install a directional sign at the intersection of Robinson Avenue and Mill Road and that should take care of his needs to have a locational sign which will resemble a street sign showing the direction for Maka Solar Granite business. The township received complaints about trucks going to the granite business now parking on Robinson Avenue. The township has temporarily placed “no parking” signs along Robinson Avenue in advance of the permanent “no parking” signs along that stretch of road. The section of Robinson Avenue behind Mr. Anderson’s house, the granite business has encroached into with his parking lot, Quinton Nearon, township senior inspector, is going out to the property this week to mark the boundaries where the paper street are and the business owner is going to be advised that he has to get his parking lot out of the right of way. The township will show the business owner where the edge of the property is and will be given some amount of time to move the parking lot back. If the business owner fails to comply with the townships directive, then the township will take him to court. Mr. Anderson presented pictures to the Mayor and Solicitor Pizzo and the Mayor indicated that Quinton Nearon would be out to Mr. Anderson’s property to look over any new developments.

Seeing no one else come forward, the second of two public comments was closed.

**12. OTHER BUSINESS:**

**Mayor** – wished everyone a Happy Easter and a Happy Passover and asked to please keep Bernie Parent in your prayers as he will be undergoing back surgery.

**Council Member Sloane** - requested a copy of the first quarter financial statement and asked Solicitor Pizzo about the amusement tax for the Xcite Center and if he had made any progress looking into this. Solicitor Pizzo indicated that Parx Casino recently provided the township with some estimated numbers and the township finance department has those figures and in the meantime the township is still working on the question of both the applicability and the enforceability of that tax should the township have collectivity determined that the events at the Xcite Center would be responsible for that. Council Member Sloane requested the figures that were given to the finance department. Solicitor acknowledged the request and indicated that he would speak to the finance department to develop those figures for council. Council Member Sloane wished everyone a Happy Easter and a Happy Passover.

**Council Member Tokmajian** asked for an update on the Public Works Director. The Mayor indicated a director was not hired as of yet but an assistant director has been hired and Mr. Ryan is working part-time to help. Council Member Tokmajian congratulated Mr. Ryan on his retirement. Quinton was asked for an update regarding the warehouse on State Road. Quinton stated that he did not see the “dust storm” that was occurring on Haunted Lane on Thursday, but did observe dirt/dust blowing around on Friday and let the contractors know that they needed to water down there truck paths. Quinton spoke to the resident who complained about the dirt/dust and with the past few days of rain most of it had been washed off of their home. Quinton indicated he would checked back with the resident in a few days. Another question regarding abandoned vehicles and Quinton indicated that Chrissy Savage was acting on that request. Council Member Tokmajian congratulated the Bensalem High School Robotics Club, he also congratulated the Schafer National Honor Society in which his son was a part of that ceremony this evening. Council Member Tokmajian wished everyone a Happy Easter and a Happy Passover.

**Council Secretary Pilieri**, announced that the Phillies won their game this evening and wished everyone a Happy Easter.

**Council Vice President Kisselback**, wished everyone a Happy Easter and a Happy Passover.

**Council President Knowles** wished everyone a Happy Easter and a Happy Passover. Other business discussed was Valley AA Opening Day on April 13th and PennDOT Pothole repair list of roads being worked on in the township was announced.

**13. ADJOURNMENT:**

There being no other business to discuss **Council Member Tokmajian** made a motion to adjourn.

**Respectfully Submitted,**

**Debra F. McBreen**  
**Recording Secretary**